



Atty Docket No.: 032026-0502

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nicholas L. ABBOTT et al.

Title: METHOD AND APPARATUS
FOR DETECTION OF
MICROSCOPIC PATHOGENS

Appl. No.: 09/784,232

Filing Date: 02/15/2001

Examiner: My-Chau T. Tran

Art Unit: 1639

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| CERTIFICATE OF MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below. | |
| <hr/> Bernard P. Friedrichsen <hr/> (Printed Name) | |
|  <hr/> (Signature) | |
| <hr/> April 15, 2004 <hr/> (Date of Deposit) | |

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals from the decision of the final rejection dated January 23, 2004, of the Examiner finally rejecting claims 1 and 3-16.

[X] Applicant claims small entity status.

[X] Notice of Appeal Fee

[X] To be paid as detailed below

[] Not required (Fee paid in prior appeal)

04/20/2004 JBALIMAN 00000096 09784232

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165.00 DP

The required fees are calculated below:

| | | |
|-------|--|----------|
| [X] | Notice of Appeal Fee | \$330.00 |
| [] | Extension month: | \$0.00 |
| [] | Extension: | \$0.00 |
| | FEE TOTAL: | \$330.00 |
| [X] | Small Entity Fees Apply (subtract ½ of above): | \$165.00 |
| | TOTAL FEE: | \$165.00 |

- [] Please charge Deposit Account No. 50-2350 in the amount of \$165.00 . A duplicate copy of this transmittal is enclosed.
- [X] A check in the amount of \$165.00 is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorized payment of any such extensions fees to Deposit Account No. 50-2350.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By 

Date April 15, 2004

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